

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

WILLIAM HOWELL,

Plaintiff,

v.

MONROE COUNTY, et al.,

Defendants.

ORDER


16-CV-6117CJS

Plaintiff William Howell (“Howell”) having filed a motion for sanctions (Docket # 33), defendants (except for Shahid Ali, N.P., against whom Howell did not seek relief) (collectively, “Defendants”) having opposed the motion (Docket # 35), this Court having reviewed the parties’ submissions, and oral argument having been conducted on September 20, 2017, it is hereby

ORDERED, for the reasons stated more fully on the record on September 20, 2017, that Howell’s motion for sanctions (**Docket # 33**) is **GRANTED in PART and DENIED in PART**. Specifically, Defendants’ request for sanctions in the form of an order striking the Answer or precluding Defendants from offering certain evidence is denied. The request for a determination that Defendants have waived their objections to Howell’s discovery requests is granted, except that Defendants are not required to disclose individual defendants’ tax returns or financial information. Defendants are directed to disclose all other documents responsive to Howell’s document demands and answer Howell’s interrogatories by no later than **October 27, 2017**. In addition, the parties are to meet and confer promptly in order to clarify any issues relating to Howell’s discovery requests. Howell’s request that Defendants be ordered to

reimburse Howell's attorneys' fees and costs incurred in connection with his motion for sanctions (**Docket # 33**) is granted. In the event that the parties are unable to resolve the amount of attorneys' fees and costs to be reimbursed, Howell's counsel must submit to this Court by no later than **October 27, 2017**, an affidavit attesting to and demonstrating the hours spent, the billing rate, and the costs incurred. Defendants may respond to the affidavit by no later than **November 9, 2017**.

IT IS SO ORDERED.



MARIAN W. PAYSON
United States Magistrate Judge

Dated: Rochester, New York
September 21, 2017